

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 20, 2011

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the regular meeting of the Common Council held on April 14, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending April 20, 2011 in the amount of \$ 240,914.61 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Rabideau; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of April 14 – April 20, 2011
- Report from the Building Inspector's Office from April 11 – April 15, 2011
- Statement of cash receipts from the Library from March 1 – March 31, 2011
- Report of Public Hearing held by the Zoning Board of Appeals on April 18, 2011

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

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4. **CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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5. **AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council in the amount of \$ 204,070.25 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Carpenter  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

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6. **PERSONS ADDRESSING COUNCIL:**

**Recreation Superintendent Steve Peters** read and submitted a letter to the Mayor about the half marathon.

**Jennifer Boyer** representing the Plattsburgh Half Marathon said I first want to thank you all again for approving this event. Obviously, thank you to Steve for saying such nice things about the event. In 2009 when we first approached you guys I knew that this was something that was needed for the community. Something that the community craved and wanted here, I truly feel that it is going to get even better each and every year. But the people, the community, everyone that came up to us through the weeks prior to the event just were so excited, so thrilled. So many people came up to us and was like thank you so much for having this, this is so wonderful. Yes, thank you to Stephanie and I but also thank you to the city and the city employees that helped us. Because with out you guys we would not have made it the event that it was and we are looking forward to next year more than anything.

**Stephanie Desautels** representing the Plattsburgh Half Marathon said I would just like to say that, I'm sure most of you read in the Press Republican, we were recognized by Team Fox this year for our efforts from last year we had raised over \$25,000 for Team Fox. We were able to go down and go to the MVP Awards Gala in New York City we were invited down and met Michael J Fox. It was absolutely amazing and it was really cool it was exactly a week before the race so it really got us hyped up to raise more money and I think it also helped that they put it in the paper. Donations are still coming in and people have been coming in my office even today with more money and still wanting to buy things. So we're just really excited but we're hoping to raise \$50,000 this year, we're already over \$40,000 and donations are still coming in. So we also again just wanted to say thank you so much to the city and everybody that helped make this event possible and that supported us and even just the City of Plattsburgh for the spectators, the volunteers, the streets of Plattsburgh were just filled with people coming to watch and support people and cheer us all on as we ran by or hobbled by or whatever we did. So thank you, thank you so much.

**Mayor Kasprzak** said you're welcome and thank you for your efforts and Steve that was very nice of you as well for your kind words, too.

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## **7. OTHER ITEMS:**

### **Motion to remove item 7A from the Table.**

By Councilor Jackson; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**A. RESOLUTION:** SEQR Determination – Applications to DEC for Solid Waste and Air permit modifications at Clinton County Compost Facility

**Whereas,** this resolution is based on the following facts and circumstances:

1. Under an Agreement with the County of Clinton made in 1982, the City of Plattsburgh operated the Clinton County Compost Facility (the “Facility”) for the treatment of sewage sludge.
2. The Facility has a solid waste permit for in vessel composting and aerated static pile as an emergency back up and an air permit for discharges from in vessel composting and the N Viro process.
3. In April, 2004 the City applied to DEC for permit modifications (the applications were subsequently amended) which in summary and substance would authorize the city to treat a much reduced volume of sewage sludge using the Alkaline Treatment method as an alternative to composting.
4. The applications to modify the permits are the subject of a pending SEQR review proceeding in which the Common Council of the City of Plattsburgh has been designated Lead Agency.
5. The members of the Common Council have reviewed the following documents in connection with this determination of significance:
  - a. Air permit application (separated into parts 1 and 2 on the City website)
  - b. Solid Waste Permit Report
  - c. Environmental Justice Program materials, including
    - i. Public participation plan
    - ii. Public Information meeting slideshow
    - iii. Progress report 1, 2 and final report
    - iv. Tabulation of public comments
  - d. EAF Part 1 06/04/10
  - e. Town of Plattsburgh Letter 12/11/10
  - f. City Letter 01/25/11
  - g. EAF Part 1 revised 11/9/10
  - h. EAF Part 1, supplement dated 1/25/2011
  - i. EAF Part 2 dated 4/6/2011

- j. EAF Part 3 dated 4/6/2011
- k. Power Point Presentation on EAF Review given on 4/5/2011

**Now**, therefore, the Common Council of the City of Plattsburgh finds and resolves:

- A. EAF Part 1 completely and accurately describes the project and action.
- B. EAF Part 2 accurately states the probable size of the impacts from the proposed project.
- C. Notwithstanding the fact that the proposed project will have no potentially large impacts, EAF Part 3 explains why the Common Council finds none of the impacts will be large impacts and why the potentially moderate impacts will not be important impacts.
- D. The Common Council finds the project will not have a significant adverse effect upon the environment and authorizes the Mayor to sign a Negative Declaration to this effect.

- This project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment; therefore **a negative declaration will be prepared.**

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves PMLD Bid No. 2011-3-2 "Salvage and Scrap Substation Transformer" be awarded to Randy Schaffer in the amount of \$3,958.

By Councilor Case; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. RESOLVED:** In accordance with the request therefore the Common Council approves PMLD Bid No. 2011-3-3 "Salvage and Scrap Substation Switchgear" be awarded to George Moore Truck and Equipment in the amount of \$1,418.

By Councilor Case; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**D. RESOLVED:** In accordance with the request therefore the Common Council approves the emergency closure of Montcalm Avenue between Stetson Avenue and Ash Street on Monday, April 25, 2011 from 7am - 5pm. The purpose is to install a new lateral sewer line at 98 Montcalm Avenue.

By Councilor Calnon; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **8. TRAVEL REQUEST:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves two Police Officers to attend the "DEA Advanced Narcotics Leadership Seminar" in Long Shore, NY from May 2-6, 2011 at an estimated cost not to exceed \$1,164.00 and will be paid out of the Asset Forfeiture Fund (Travel expense).

By Councilor Calnon; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves Bill Treacy, Manager MLD to attend the "NYMPA 14<sup>th</sup> Annual Meeting" in East Syracuse, NY from May 18-19, 2011 at an estimated cost not to exceed \$285.

By Councilor Jackson; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

1. Request from Bill Treacy, Manager MLD to write-off unpaid final bills from February 1, 2010 to February 28, 2010 in the total amount of \$4,985.63. The percentage of write-offs for this period is .24%.
2. Request from Kevin Farrington City Engineer to advertise for bid for Contract #2011-09 "One new 2012 tandem axle truck with 25 cubic yard rear packer."

3. Request from Kevin Farrington City Engineer to advertise for bid for Contract #2011-10 "One new 2012 single axle truck with snow plow and multipurpose dump/spreader body."
4. Request from Kevin Farrington City Engineer to advertise for bid for Contract #2011-11 "Ready Mix Concrete."
5. Request to establish Local Law P-2 of 2011 amending Chapter 270 of the City Code of the City of Plattsburgh: "Local Law imposing a 6 month moratorium on the installation of digital signs." A Public Hearing is set for April 28, 2011 at 5 pm in the Common Council Chambers, 2<sup>nd</sup> Floor of City Hall, 41 City Hall Place, Plattsburgh, NY.
6. Request from the City Chamberlain to create capital project H5110.34 2011 Durkee Street Parking Lot Improvements to complete the item listed in the Downtown Improvements section of the 2011 Capital Expenditure Budget.
7. Request from the City Chamberlain to create capital project H5110.35 2011 EcoDocks Improvements to complete the item listed in the Downtown Improvements section of the 2011 Capital Expenditure Budget.
8. Request to rename the Clinton County Compost Facility to the Plattsburgh Organic Recycling Plant.
9. Request to authorize the Mayor Pro Tem to sign and submit an application for the 2011 Main Street Grant Program.

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#### 10. NEW BUSINESS:

**Councilor Jackson** said I don't know if people notice it or not but at the Zoning Board of Appeals they postponed the digital sign request.

**Councilor Carpenter** said someone asked me a question and I didn't really have an answer. We put a moratorium on digital signs is that only signs that are stand alone or is that also signs in the window.

**Councilor Calnon** said my understanding, and you'd have to talk to the Building Inspector about this, and I don't think those count as signs. The strict definition in the code is important, but, your point's well taken. I think we need to get a good recommendation from the Planning and Zoning Boards on this and that should be included in it. When is a sign a sign, it gets technical and I think we should probably ask Rick that question.

**Corporation Counsel John Clute** said you're going to have a public hearing on it next week. That would be an appropriate time to get a sense of how broad it is. Jim's right, there are multiple definitions of signs, different types of signs in the ordinance. I think that the way this type of moratorium is written is it really applies to all signs whether they are window, wall signs or anything else, that are digital in nature. Which is something where the images and lettering can be changed electronically and so I think the way that it's

written it would apply to all signs. There were a couple of changes that I made from the earlier draft because there was a comment; does it really take 6 months to get a report? The one that you have I think that is identified as "P-2" reflects a couple of informal comments that were made before then which moves up the date for a report by this joint committee I guess of the Zoning Board and Planning Board by either 30 or 60 days, I can't remember. It also gives you the right to terminate this moratorium just by resolution without going through any amendment to local law. If at the end of 4 months you're not satisfied that any progress is being made and you think it's really unfair to people that want to have these things for it to drag on. This is a situation that a lot of communities are confronted with.

**Councilor Carpenter** said I had a question going through the bills there was a purchase of 3 Taser units and I would ask Jim if he could just explain it real quick.

**Councilor Calnon** said I would ask the Chief to give you a better overview.

**Police Chief Desmond Racicot** said the Tasers are for training purposes.

**Councilor Carpenter** said Happy Birthday to my oldest Parker he turned 17 today.

**Mayor Kasprzak** said we will have an MLD meeting after this meeting.

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**11. CLOSING PUBLIC COMMENTS: None**

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer  
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson  
(All voted in the affirmative)  
**MEETING ADJOURNED: 5:49 pm**